

REMARKS

Interview Summary

Examiner's Interview Summary states "the Applicant discussed that the positioning of the LEDs in the luminous panel shapes the beam and the light dark boundary of the headlamp. The examiner noted that these limitations are not recited in the claim, and that the claim merely recites the edge of the recess being in spatial arrangement to the luminous element chips such that a predetermined luminance gradient in the light distribution is formed in a region of the edge."

Applicant respectfully points out that predetermining a luminous gradient in a light distribution claims exactly what applicant describes, and that the consequence and advantage of the structural claim recitations are appreciated by those of skill in the art. This is evidenced by the fact that those of skill in the art have known diagrams for illustrating this structural effect of the invention, which are illustrated in the application at Figures 4B, 5B, 6B, 7B and 8B.

Moreover, this is not mere functional language as the interview summary comments further. A first predetermined luminance gradient in a particular part of the light distribution, as contrasted with a different predetermined luminance gradient in a different part of the light distribution, are necessary consequences of the structure recited, i.e., the spatial arrangement between the luminous element chips and the edge of the recess as claimed. Applicant's pioneering work in LED headlight control technology has enabled what was not previously enabled under the teaching of any prior art of record; pre-configuring luminance gradients and distribution with the spacing of LED chips relative to a recess edge. Accordingly, Applicant is entitled to broad claims. Broad

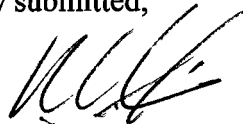
claims are not functional claims. Accordingly, because the capacity to predetermine luminance gradients and distributions according to the spacing of an LED chip relative to a recess edge as structurally recited was not heretofore known, any prior art referenced supporting a prima facie case of obviousness must expressly teach, suggest or motivate or recite the same function as the present invention, i.e., of predetermination of luminance gradients and distributions according to a spacing of an LED chip relative to a recess. Uncontrolled, unpredetermined luminance gradients, such as are all that is disclosed in the prior art of record, do not support a proper prima facie case of obviousness. The circumstance that any luminance gradient might exist in the prior art does not make obvious the controlled predetermination of them as claimed. If they did, the prior art of record would certainly have discussed the value of producing a “dipped beam, main beam, motorway beam and/or cornering beam” as is expressly disclosed in paragraph 31, page 8 of the present application.

New Claims

New claim 20 is supported in paragraph 31.

New claims 21 through 24 are supported by paragraphs 10, 29 and 31 of the present application.

Respectfully submitted,



By: Robert C. Haldiman, Reg. No. 45,437
Husch & Eppenger, LLC
190 Carondelet Plaza
St. Louis, MO 63105
314-480-1641
314-480-1505 FAX